

REMARKS/ARGUMENTS

Applicants thank the Examiner for his careful review of this application. Claims 1-2 and 4-20 have been rejected. Claims 1, 7, and 16 have been amended. Applicants respectfully request reconsideration of the application in view of the following remarks submitted in support thereof.

Obviousness Rejections under 35 U.S.C. §103(a)

Pending claims 1-2 and 4-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,954,796 to McCarty et al. in view of admitted prior art (APA) from the background section of Applicants' application. As will be fully explained below, the combination of McCarty et al. in view of APA does not raise a *prima facie* case of obviousness against amended independent claims 1, 7, and 16.

Although the Applicants believe that the original pending claims are defined over the art of record, the Applicants have amended the original independent claims to clarify that there are no translation into Fibre Channel commands. Accordingly, amended independent claims 1 and 16 define receiving a modification request to alter a Fibre Channel attribute during operation of the Fibre Channel controller without the modification request being translated into Fibre Channel commands. Similarly, amended independent claim 7 defines the operating system dependent code module accessing a value in a Fibre Channel value field without translation into Fibre Channel commands.

In support of the 35 U.S.C. §103(a) rejection, the Examiner noted that because link elements, which facilitate dynamic address changing of the FC devices, are part of the OS environment, the "OS can provide the command to FC" (see Advisory Action mailed July 21, 2004 at page 2). Applicants respectfully traverse the Examiner's characterization of McCarty

et al. relative to amended independent claims 1, 7, and 16. In particular, McCarty et al. disclose “the OS 210, are not provided with the capability of communicating ‘directly’ with the devices disposed in the FC environment 220” (col. 4, lines 7-11). As a result, McCarty et al. teach providing a link path “provided between the FC environment 220 and the OS-compatible communication interface 215” that “facilitates dynamic address changing of the FC devices, which changing is transparent to the OS-compatible upper-level software structures” (col. 4, lines 13-21). Accordingly, McCarty et al. teach that all communications from the OS must be translated into FC commands. In contrast, amended independent claims 1, 7, and 16 define the operating system dependent code module modifying or accessing Fibre Channel attributes without translation into Fibre Channel commands. As McCarty et al. teach the OS not being able to directly alter or access the FC information structure associated with the FC devices, McCarty et al. cannot reasonably be considered to teach or suggest the operating system dependent code module modifying or accessing Fibre Channel attributes without translation into Fibre Channel commands, as defined in amended independent claims 1, 7, and 16.

To establish a *prima facie* case of obviousness, the prior art references must teach or suggest all the claim limitations. Here, in view of the incorrect characterization of McCarty et al., the references as combined do not teach all the features of the claimed invention. Accordingly, for the above-stated reasons, Applicants submit that amended independent claims 1, 7, and 16 are patentable under 35 U.S.C. §103(a) over McCarty et al. in view of APA. Claims 2, 4-6, 8-15, and 17-20, each of which depends directly or indirectly from amended independent claims 1, 7, and 16, are likewise patentable under 35 U.S.C. §103(a) over McCarty et al. in view of APA for at least the same reasons set forth for amended



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independent claims 1, 7, and 16. As a result, Applicants respectfully request the Examiner to withdraw the 35 U.S.C. §103(a) rejection for all pending claims 1-2 and 4-20.

Conclusion

In view of the foregoing, the Applicants respectfully submit that all the pending claims 1-2 and 4-20 are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present amendment, the Examiner is requested to contact the undersigned at (408) 749-6900 ext. 6924. If any additional fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. ADAPP169). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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